

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel. J.
WILLIAM BOOKWALTER, III, M.D.; ROBERT
J. SCLABASSI, M.D.; and ANNA MITINA,

Plaintiffs,

v.

UPMC; UPP, INC. d/b/a UPP DEPARTMENT OF
NEUROSURGERY,

Defendants.

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) Civil Action No. 2:12-cv-145
)

) **FILED UNDER SEAL**
) **PURSUANT TO**
) **31 USC § 3730(b)(2)**
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ORDER

The United States having intervened in part of this action for purposes of settlement and having declined to intervene in part of this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court rules as follows:

IT IS ORDERED that,

1. the Relators' Amended Complaint, the United States' Notice of Election to Intervene as to Certain Claims for Purposes of Settlement, the Parties' Stipulation of Dismissal as to Certain Claims Against the UPMC Parties, and this Order be unsealed;
2. the Relators serve their Amended Complaint upon defendants within thirty (30) days;
4. all other papers or Orders on file in this matter shall remain under seal, except insofar as that seal has been partially lifted by this Court;
5. the seal be lifted on all other matters occurring in this action after the date of this Order;

6. as to the part of the action in which the United States has declined to intervene, the parties shall serve all pleadings and motions filed in that part of the action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C: § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action, for good cause, at any time;

7. all orders of this Court shall be sent to the United States; and that

8. should the Relators or the Defendants propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED,

This 25th day of July, 2016.

s/Cathy Bissoon
United States District Judge